

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
Long Island Federal Courthouse
814 Federal Plaza
Central Islip, NY 11722-4451
(631) 712-5730

BEFORE: ARLENE R. LINDSAY
United States Magistrate Judge

DATE: July 28, 2005

TIME: 10:00 am

DOCKET NO: CV 01-6508 (ARL)

CASE: Corson v. Pashayan

 INITIAL CONFERENCE

X STATUS CONFERENCE

BY TELEPHONE XX

 SETTLEMENT CONFERENCE

 FINAL CONFERENCE

 ORDER

APPEARANCES:

FOR PLAINTIFF:

Michael Gaynor

Rochelle Corson

FOR DEFENDANT:

Scott Mishkin

Angela Pashayan

The following rulings were made:

On July 22, 2005, the undersigned held a status conference to address counsel for the defendant's motion to withdraw. During the conference, Ms. Pashayan advised the court that she was no longer able to pay for Mr. Mishkin's representation. However, as a result of settlement discussions during the conference, the court agreed to reserve decision on the motion to withdraw and to hold a further telephone conference on July 25, 2005. The court warned both parties that if the case was not settled, the trial would begin as scheduled on August 2, 2005.

During the July 25, 2005 conference, the plaintiff advised the court that she might have a potential buyer for the property, which would facilitate a settlement. Ms. Pashayan informed the court that a relative who practices law might be willing to take her case. The court scheduled a further status conference for today to address the settlement and again warned both parties even if the defendant's representation changed, the trial would begin on August 2, 2005.

Today, the parties have advised the court that a settlement was not reached. Ms. Pashayan, who has now indicated that she has been in touch with a new attorney, has requested that the court adjourn the trial for at least three weeks. That request is denied. The court has already delayed the commencement of the trial to accommodate the defendant's change in representation and will not further delay the trial.

Accordingly, the parties and all counsel are directed to appear for trial at 10:00 a.m. on August 2, 2005. To reiterate previous warnings, Ms. Pashayan is reminded that should Mr.

Mishkin's motion to be relieved as counsel be granted, the case will nonetheless proceed to trial on August 2nd, and in the absence of new counsel, Ms. Pashayan will be required to appear *pro se* or risk the entry of a default judgment against her.

SO ORDERED:

_____*/s/*_____